

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**DAVID BROOKS,**  
**Plaintiff/Counter-Defendant**

**v.**

**RISK MANAGEMENT PROGRAMS, INC.,**  
**A SUBSIDIARY OF METIS HOLDINGS, INC.,**  
**Defendant/Counter-Plaintiff.**

**Civil Action No. 7:19CV599**

**NOTICE OF REMOVAL**

NOW COMES the Plaintiff/Counter-Defendant David Brooks, by counsel, and, pursuant to 28 USC § 1446, *et seq.*, gives notice of removal of these matters to the United States District Court for the Western District of Virginia, Roanoke Division. As his grounds for removal, Brooks states the following:

1. On July 12, 2019, Brooks filed a Complaint in the Circuit Court for the County of Roanoke (“Circuit Court”) against Risk Management Programs, Inc., a Subsidiary of Metis Holdings, Inc. (RMP). The Clerk of the Circuit Court assigned the case number CL19000966-00 to the matter.

2. Thereafter, Plaintiff obtained service of process on RMP.

3. On August 5, 2019, RMP filed a Counterclaim against David Brooks, to which the Clerk of the Circuit Court assigned case number CL19000966-01.

4. Jurisdiction of this Court is proper in these matters based upon diversity, pursuant to 28 USC § 1332:

a. Exhibit B to RMP’s Plea in Bar identifies Brooks as a citizen/resident of Kentucky.

b. Exhibit 1 to the Complaint lists Defendant's address as 1819 Electric RD, Roanoke, Virginia, and therefore, it is a citizen/resident of the Commonwealth of Virginia.

c. The Counter-Claim seeks damages in excess of \$75,000.

5. Plaintiff/Counter-Defendant has attached hereto copies of all process, pleadings and orders served upon it, or otherwise in his possession.

6. Plaintiff/Counter-Defendant delivered notice of the filing of this Notice of Removal to the Circuit Court for the City of Roanoke, and to counsel for Plaintiff, which Notice of Filing Notice of Removal is attached hereto.

7. Brooks hereby demands trial by jury.

WHEREFORE, David Brooks hereby gives notice of removal of these actions to this Court from the Circuit Court for the County of Roanoke.

RESPECTFULLY SUBMITTED,  
DAVID BROOKS

/s/ Melvin E. Williams  
Of counsel

Melvin E. Williams (VSB No. 43305)

*mel@melwilliamslaw.com*

Meghan S. Strickler (VSB No. 88556)

*meghan@melwilliamslaw.com*

MEL WILLIAMS PLC

1320 Third Street, SW

Roanoke, Virginia 24016

540-266-7800

540-206-3857 *facsimile*

*Counsel for David Brooks*

**CERTIFICATE OF SERVICE**

On September 4, 2019, the foregoing Notice of Removal was mailed and emailed to  
counsel for RMP:

Jennifer D. Royer  
Royer Law Firm, P.C.  
PO Box 4525  
Roanoke, Virginia 24015  
540-788-2982  
540-675-4093 *facsimile*  
*jroyer@royerlawfirm.com*

/s/ Melvin E. Williams  
Of counsel